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WA State Department
of Ecology (SWRO)



STATE OF WASHINGTON APPLICATION TO ENTER A WATER RIGHT INTO THE TRUST WATER RIGHT PROGRAM

NOTE: THIS FORM IS ONLY TO BE USED FOR THE
ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

(Check all that apply.)

- ☐ Lease
☐ Purchase
☒ Donation
☐ Other

Explain: _____

☒ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE: 11/16/2010

END DATE: See remarks last page

FOR OFFICE USE ONLY

FILE No. CS2-SWC11173 WRIA 13

DATE ACCEPTED 11/17/10 BY Sc

FEE \$ / REC'D / /

CHECK No. _____

SEPA: ☐ Exempt ☐ Not exempt

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME Riverside 5, LLC	PHONE NO. (253) 569-9787	FAX NO. ()
ADDRESS 3240 B St. NW		
CITY Auburn	STATE WA	ZIP CODE 98001

Tom McDonald	PHONE NO. (360) 786-5057	FAX NO. (360) 786-1835
ADDRESS 606 Columbia St. NW		
CITY Olympia	STATE WA	ZIP CODE 98501

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER Certificate No. 11173A (S2-*11657AWCRIS)	RECORDED NAME(S): Estate of Helene Lomcke Perfield
DO YOU OWN THE RIGHT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS: Portion of right; other portion where water is used is owned by G & K Ota Family, L.L.C.; remaining original place of use is divided into 40 or more commercial residential lots that are being supplied water from another source.	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

FOR OFFICE USE ONLY

WATER RIGHT NO. CS2-SWC11173 FILE (contract) NO. _____

3. How is Water to be Made Available for Trust?

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input checked="" type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s):	

WATER RIGHT DESCRIPTION

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Stuck/White River		NE	SW	13	20	4 E		
Salmon Creek		NE	SW	13	20	4 E		

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	0.5		April 15 to October 1

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:		
PURPOSE OF USE		ACRE-FEET/YR
Donation for instream flow		40 - 60

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
See attached 2 pages containing legal description.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
NW	SW	13	20	4 E	Pierce		24
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.

6. Place of Use (continued)

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
Stuck/White River and Salmon Creek

7. Remarks and Other Relevant Information:

Evidence of water use in last five years will be provided from the past lessee, G & K Ota Family, LLC.
Water right is to be withdrawn from the Trust upon written request by applicant or assignee.

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

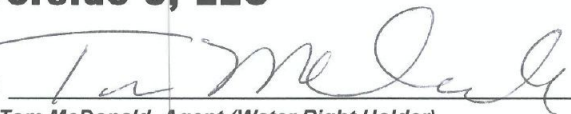
8. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Riverside 5, LLC

By:  11/16/2010
Tom McDonald, Agent (Date)

Riverside 5, LLC

By:  11/16/2010
Tom McDonald, Agent (Water Right Holder) (Date)

Riverside 5, LLC

By:  11/16/2010
Tom McDonald, Agent (Land Owner(s) of Existing Place of Use) (Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- ☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE
- ☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____

A.L.T.A. COMMITMENT
SCHEDULE A
Page 2

The land referred to in this commitment is situated in the State of Washington, and described as follows:

That portion of the Abial Morrison Donation Land Claim No. 42 and of the George Haywood Donation Land Claim, in Section 13, Township 20 North, Range 4 East, W.M., in Pierce County, Washington, described as follows:

Commencing at a stone monument on the south boundary of the Haywood Donation Land Claim at a point 5 chains and 99 links east of the southwest corner of said claim;
Thence north along a line parallel with and 5.99 chains east of the west boundary of the Haywood Donation Land Claim to the centerline of Salmon Creek and the TRUE POINT OF BEGINNING;
Thence northwesterly along said centerline and the extension thereof, to the center of Stuck River;
Thence northerly and northwesterly along the centerline of Stuck River to the north line of the Abial Morrison Donation Land Claim;
Thence east along said north line to the west line of the George Haywood Donation Land Claim;
Thence north along said west line to the south boundary line of the George H. Ryan's Tract described in Deed dated April 5, 1887 and recorded April 8, 1887 in Book 21 of Deeds at pages 320 and 321;
Thence east along said south boundary to a line parallel with and 5.99 chains east of the west boundary of the George Haywood Donation Land Claim;
Thence south along said parallel line to the TRUE POINT OF BEGINNING, in Pierce County, Washington.

ALSO:

Beginning at a point on the west line of the extension west of the south line of the north half of the north half of George Haywood Donation Land Claim, being 2237 feet south and 444.71 feet west of the northeast corner of Section 13, Township 20 North, Range 4 East, W.M., in Pierce County, Washington;
Thence south along the west line of said George Haywood Donation Land Claim, 660 feet, more or less, to the north line of Abial Morrison Donation Land Claim No. 42;
Thence west 247 feet, more or less, along the north line of said Abial Morrison Donation Land Claim, to the center of the Stuck River;

(continued)

A.L.T.A. COMMITMENT
SCHEDULE A
Page 3

LEGAL DESCRIPTION, continued:

Thence northwesterly along the center of said river to a point on the south line of that property conveyed to Mrs. Fannie M. Seymour by deed dated July 17, 1913 and recorded August 11, 1913, in Book 377 of Deeds at Page 360 under Recording Number 386567, being 2265 feet, more or less, south of the north line of said Section 13; Thence east along the south line of said Seymour property, 550 feet, more or less, to the point of beginning, in Pierce County, Washington; EXCEPT therefrom that portion thereof lying north of the following described line:

Beginning at the northeast corner of the above described parcel of land; Thence along the south side of an existing fence and its westerly prolongation as disclosed by Record of Survey recorded under Recording Number 8109010159, south 85°43'10" west to the center of the Stuck River and the terminus of said line.

END OF SCHEDULE A

NOTE FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per amended RCW 65.04. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document.

E 1/2, 13-20-4